

**United States District Court**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**for the**

**12/21/17**

**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: James Allen Booth

Case Number: 0980 2:13CR00185-TOR-1

Address of Offender:

Spokane Valley, Washington 99037

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, Chief U.S. District Judge

Date of Original Sentence: March 18, 2015

Original Offense: Conspiracy to Distribute 100 Grams or More of a Mixture or Substance Containing a Detectable Amount of Heroin, 21 U.S.C. §§ 841(a)(1), (b)(1)(B), and 846

Original Sentence: Prison - 24 months  
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: George J. C. Jacobs, III

Date Supervision Commenced: January 5, 2017

Defense Attorney: Federal Defender's Office

Date Supervision Expires: January 4, 2022

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**PETITIONING THE COURT**

To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

- 1      **Mandatory Condition # 3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

**Supporting Evidence:** On January 10, 2017, James Booth signed his conditions of supervision, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Booth was made aware by his U.S. probation officer that he must refrain from any unlawful use of a controlled substance.

On November 2, 2017, Mr. Booth violated mandatory condition number 3 by consuming marijuana. On this date, the offender reported to the United States Probation Office and provided a urine sample which tested presumptive positive for marijuana. Mr. Booth signed an admission of use form in which he admitted to using marijuana on or about October 31, 2017. The undersigned officer received confirmation from Alere Laboratories on November 7, 2017, verifying the sample provided by Mr. Booth on November 2, 2017, was in fact positive for marijuana metabolite.

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- 2            **Standard Condition # 15:** Defendant shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On January 10, 2017, James Booth signed his conditions of supervision, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Booth was made aware by his U.S. probation officer that he is required to submit to urinalysis testing as directed by the supervising officer.

On November 13, 2017, Mr. Booth violated standard condition number 15 by failing to report for testing as required. On this date, the offender was required to report for phase urinalysis testing at Pioneer Human Services as his assigned color “Brown 1” was identified for testing.

- 3            **Mandatory Condition # 3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

**Supporting Evidence:** On January 10, 2017, James Booth signed his conditions of supervision, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Booth was made aware by his U.S. probation officer that he must refrain from any unlawful use of a controlled substance.

On November 17, 2017, Mr. Booth violated mandatory condition number 3 by consuming marijuana. On this date, the offender reported to Pioneer Human Services and provided a urine sample, which tested presumptive positive for marijuana. The undersigned officer received confirmation from Alere Laboratories on November 26, 2017, verifying the sample provided by Mr. Booth on November 17, 2017, was in fact positive for marijuana metabolite.

- 4            **Mandatory Condition # 3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

**Supporting Evidence:** On January 10, 2017, James Booth signed his conditions of supervision, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Booth was made aware by his U.S. probation officer that he must refrain from any unlawful use of a controlled substance.

On November 29, 2017, Mr. Booth violated mandatory condition number 3 by consuming marijuana. On this date, the offender reported to Pioneer Human Services and provided a urine sample which tested presumptively positive for marijuana. The undersigned officer received confirmation from Alere Laboratories on December 4, 2017, verifying the sample provided by Mr. Booth on November 29, 2017, was in fact positive for marijuana metabolite.

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**Mandatory Condition # 3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

**Supporting Evidence:** On January 10, 2017, James Booth signed his conditions of supervision, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Booth was made aware by his U.S. probation officer that he must refrain from any unlawful use of a controlled substance.

On December 18, 2017, Mr. Booth violated mandatory condition number 3 by consuming marijuana. On this date, the offender reported to Pioneer Human Services and provided a urine sample which tested presumptively positive for marijuana. Mr. Booth signed an admission of use form admitting to the use of marijuana, but not indicating the date on which he used. As of this date, the undersigned officer has not received lab confirmation.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/21/2017

s/Amber M.K. Andrade

Amber M.K. Andrade  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

December 20, 2017

Date